



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 24, 1998

Ms. E. Cary Grace  
Assistant City Attorney  
City of Houston-legal Department  
P.o. Box 1562  
Houston, Texas 77251-1562

OR98-1737

Dear Ms. Grace:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 117107.

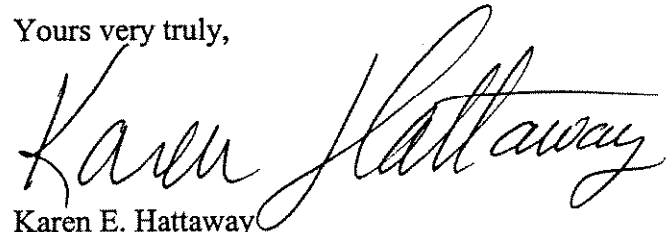
The City of Houston (the "city") received a request for information pertaining to the arrest of a particular individual on November 15, 1997. You indicate that the front page offense report information has been made available to the requestor. You contend that the remaining information is excepted from disclosure pursuant to section 552.108(a)(2) of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108(a) excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if: (1) release of the information would interfere with the detection, investigation, or prosecution of crime; [or] (2) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication." The information at issue relates to a criminal case that was dismissed on April 23, 1998 and did not result in conviction or deferred adjudication. Therefore, we conclude that the city may withhold the information from disclosure under section 552.108(a)(2).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Karen Hattaway". The signature is fluid and cursive, with the first name "Karen" and last name "Hattaway" clearly distinguishable.

Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/mjc

Ref: ID# 117107

Enclosures: Submitted documents

cc: Mr. Donald Ray Chachere, Jr.  
217 May Ann  
Friendswood, Texas 77546  
(w/o enclosures)